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May 2, 2016

BY ECF

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The Honorable Vera M. Scanlon
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Shvarts v. Lyft, Inc.*, No. 1:16-cv-00748-LDH-VMS

Dear Judge Scanlon:

My colleagues and I represent defendant Lyft, Inc. in this case. We respectfully submit this letter to request an adjournment of the Initial Conference currently scheduled on May 5, 2016 to a later date.

Plaintiff Elizabeth Shvarts filed her Complaint on February 2, 2016, and served the complaint on or around March 14, 2016. This Court extended Lyft's deadline to respond to the complaint to April 25, 2016. On that date, as authorized by Section III.A.1(a) of Judge DeArcy Hall's Individual Practices, Lyft requested a pre-motion conference to address Lyft's planned motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See* Docket No. 10.

By text order entered on April 25, 2016, Judge DeArcy Hall granted Lyft's request and scheduled a pre-motion conference for May 31, 2016. The order also required Plaintiff to respond to Lyft's pre-motion letter by today; and indicated that Lyft should anticipate serving its motion to dismiss soon (likely within two weeks) after the pre-motion conference.

Lyft requests that Initial Conference be rescheduled for a date following the May 31, 2016 pre-motion conference. This is the first request to adjourn the Initial Conference. The requested adjournment is appropriate for at least two reasons. First, any initial conference is likely to be more productive after this Court and the parties have the benefit of hearing from Judge DeArcy Hall about her views of this case. Second, there will be no prejudice to plaintiff, who has not yet sought to meet and confer as required under this Court's Initial Conference Order of April 1, 2016 (Docket No. 9). Adjourning the Initial Conference will afford the parties an opportunity to meet and confer about the issues in this case, ideally with guidance from Judge DeArcy Hall.

Counsel for Plaintiff has indicated that his client consents to this request to adjourn the Initial Conference. Counsel for both parties would be available to attend a rescheduled Initial Conference on any of the following dates: June 15, 2016; June 22, 2016; and June 30, 2016.

If none of these dates are convenient to the Court, we will of course seek to confer with Plaintiff's counsel to suggest additional dates.

We appreciate the Court's consideration of this request.

Sincerely,

/s/Archis A. Parasharami
Archis A. Parasharami

Counsel for Defendant Lyft, Inc.

cc: Counsel for Plaintiff (via ECF)